IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

L.P.A. No. 207 of 2011(O&M)
Date of Decision : February 03, 2011

PEPSU Road Transport Corporation, Patiala and another

....Appellants

Versus

Ved Parkash and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.KUMAR
HON'BLE MR. JUSTICE T.P.S.MANN

Present : Mr. Anupam Singla, Advocate
for the appellants.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

M.M.KUMAR, J.

1. The instant appeal under Clause X of the Letters Patent is directed against the judgment dated 16.9.2010 passed by the learned Single Judge holding that the writ petitioner-respondent is entitled to count his services for the purposes of pensionary benefits from 8.6.1977 to 28.2.1980. It is appropriate to mention that the petitioner joined the services of the Corporation on 8.6.1977 and superannuated on 1.10.1999. However, on account of the fact that he started subscribing to the Contributory Provident Fund from 1.3.1980, his earlier period of service has not been reckoned for the purpose of grant of pensionary benefits. The aforesaid issue has already been decided by a Division

Bench of this Court in the case of ***Kasturi Lal Khurana and others*** **v.** ***State of Punjab and others*** *2003(4) SCT 462* on which reliance has also been placed by the learned Single Judge. We pointedly asked the learned counsel for the appellants whether the matter is covered in favour of the writ petitioner-respondent by the Division Bench judgment. However, he has not been able to point out any distinguishing feature between the facts of the present case and that of the case of Kasturi Lal Khurana (supra). Accordingly, the appeal fails and the same is dismissed.

2. In view of the fact that the appeal has been dismissed, we do not wish to pass any order on the application seeking condonation of delay.

(M.M.KUMAR)
JUDGE

(T.P.S.MANN)
JUDGE

February 03, 2011
ajay-I